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SUBJECT: 9-11 COMMISSION VISIT: MEETING WITH JUDGE GARZON

Classified By: Charge J. Robert Manzanares per 1.5 (b) and (d).

1. (SBU) Dieter Snell and Hyon Kim of the 9-11 Commission visited Madrid February 13. At their request, the Embassy arranged a meeting for them with Judge Baltasar Garzon of the National Court. This was the only appointment with Spanish officials that the Commission staff sought. Garzon is directing the case against a Spain-based al Qaeda cell, led by Eddin Barakat Yarkas (a Syrian born naturalized Spanish citizen). Barakat Yarkas was arrested in November 2001 and remains in Spanish custody along with other cell members, awaiting trial.

2. (C) Judge Garzon, accompanied by Spanish National Police Inspector (Comisario) Rafael Gomez Menor, met with Snell and Kim for three hours on February 13. Embassy political officer accompanied. Garzon outlined the activities of the Barakat Yarkas al Qaeda cell, such as its recruitment for al Qaeda camps. Snell and Kim were particularly interested in Spanish police phone taps of cryptic conversations between Barakat Yarkas and a contact in the UK. The contact, who has never been identified and is known only as "Shakur," told Barakat Yarkas (in Arabic) in August 2001 that something would happen in the next few weeks that he would like and made comments to the effect that the "bird's" throat would be cut. Garzon and Gomez believe these conversations indicate a foreknowledge of the 9-11 conspiracy.

3. (C) Gomez Menor, who is the head of the police unit investigating the case, narrated a power point presentation for Snell and Kim on the Barakat Yarkas cell members and their activities. Garzon and Gomez also discussed with Snell and Kim the possibilities that Barkat Yarkas or members of his cell might have been in contact with Mohamad Atta or other 9-11 conspirators during Atta's two visits to Spain in 2001.

4. (SBU) Prior to the meeting with Garzon, Snell and Kim, as they had requested, had a meeting at the Embassy with Legat, who was accompanied by a lawyer from FBI headquarters. They also paid a courtesy call on the Charge. Snell and Kim departed for Berlin on February 14.
MANZANARES